G R.S IX-5]

Previous references. 1924-25 (MK)

File No. 236-24

Serial Nos.

Later references.

GENERAL AND REVENUE SECRETARIAT

Serial Nos.

Part B for

SUBJECT

Misc papers re
Coffee Planters Mr Smithwaite's
Claim for Compensation &c

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D. 1059

Memorial by the Guru of Bisagnia mattu in the Chickmagalur Taluk representing that for reasons stated, Mr C. Srinivasa Rau's claim for enhanced compensation in respect of the Bisagnia Lands is untenable &c.

The connected file is in Jud. Br. in connection with the appeal of Laan-due to Agricultural Bank by Mr C. S. Rau.

His Return may be awaited

Secretary

5/1/25

Please punch the Memorial in Stamp Reg & then submit

RA
5/1/25

Attended to
RS
5/1/25.

N. B. -Shouldroutine notes be written on small slips the notes must b cipoed, or slips pasted on this form.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for minutes, requisitions, etc., not intended for permanent record.]

Petition no. 1185 is put up.
The members wants
to look into the file,
and the G. & C. Br. may
be asked to put it up
at once for orders of the
members. I have given immediate
compliance.
19.1.25 To Br.

19.1.25

The file has been sent to the Asst. Secy.
with the information
required by the Rev. Br. &
the same will be sent
to be turned to the Rev. Br. as
soon as it is received back
in the Br.

19.1.25

The connected file

V. B.—Should routine notes be written on small slips the notes must be pasted, or else mounted on this form.

as yet.

Submitted. 28.1.25

28-1-25 28.1.25.

G. R. S. III—3]

1235

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G. R S. III—3]

ROUTINE NOTES.

[To be used only for notes requisitions, etc, not intended for permanent record]

N B - Should routine notes be written on small slips, the notes must de copied or slips pasted on this form

W D 1880—GPB—1 50 000—2 5 21

Chickmagalur 12

Dated, 7th January 1924.

To,

Rajamantra Dhurina

Albion Rajkumar Banerji, M.A.,C.S.I.,C.I.E., I.C.S.,

Dewan of Mysore,

B A N G A L O R E.

Sir,

Adverting to my claims for compensation which has been before Government for a long time and in which I regret, I have not been done justice. I enclose herewith, for favour of your kind perusal, a brief resume of my case and crave your indulgence for trespassing on your valued time and attention.

2. As you will see from the note, the possession is that a property worth Rs. 50,000/- being a Coffee Estate yielding at least Rs. 4,000/- a year, which was mine having been bought out right after a mortgage, was taken out of my possession and enjoyment by Government, on its own responsibility, during the pendency of an appeal, for ten long years and was finally made over to me, not as a fine Coffee plantation that it was when it was taken out of me but as jungle over grown with shrub and wood.

3. Government have been pleased to recognise the injury and have paid me a couple of thousand rupees as compensation. There is thus, at present, no question whether injury has been done to me or not. All that I desire to point out is that the basis on which the figure has been worked out is without all proportion to the actual loss which at the most modest estimation is Rs. 40,000/-.

4. It is disheartening and painful to find one self, at my advanced age or life, which the possession and place

place I hold in the Province, among His Highness's loyal and dutiful subjects, to have to sholder such a heavy loss for which, neither in law nor in equity, is there any - justification what so ever. Never too rich this amount - means everything to me, and I request you to be so good as to interest yourself in my behalf for I know the result, - once you are aquainted with the facts narrated in the note.

5. I pray to urge on your kind and careful attention that the amount of 2,000 rupees awarded to me as compensation may be revised in my favour so as to make it of some reasonable proportion to the loss I have been put to. As originally this amount was fixed without my being heard in the - matter I beg to add that I shall be pleased to appear in - person and explained my case, if you be so good as to give me the opertunity of an interview.

6. I had intended to interview His Highness the - Maharaja but since he has been graciously pleased to consider my request and refer me to you I crave your indulgence and bespeak your kind attention to the matter, confident that I shall not be approaching you in vain.

7. I only beg to add that for your kind assistance intercession I shall, as in duty bound, ever pray.

Yours sincerely,

Coffee Planter,

Chickmagalur.

Brief Memorandum of Mr. C. Sreenivasa Rao's Hirekhan Mutt Case.

--------oooooooooooo--------

1. Before the year 1866, a sum of Rs. 30,000/- had been lent to the Bisagni Mutt Swami to rebuild the dilapidated Mutt.

2. In 1866 when the Registration Act came into force the then head of the Mutt mortgaged with possession 21 of the Mutt properties to one Yelemallappa Setty for Rs. 30,000/- wit with the right to levy 3 seers per maund of Coffee from all the inferior holders of the Mutt lands.

3. The said mortgage and the rights thereon were transferred to my uncle the late Mr. Naranappa and on his death I succeeded him with possession to the property.

4. On the 11th June 1880, the claims of the Bisagni-Mutt Inam were rejected by the Inam Superintendent. But on representation, His Highness's Government confirmed it as Inam in their Proceedings No. 710-11-7 dated 28th April 1884.

5. At this juncture I made an agreement with the then head of the mutt retaining one estate of 111 acres of jungle in complete satisfaction of the debt and agreeing to pay the Quitrent to the Government and enjoy the remaining Jari - amount.

6. At the survey settlement of 1887 the fact of the above agreement between myself and head of the Mutt was presented to the Settlement Officer who was also the Deputy - Commissioner at this time. He approved of the same after enquiring into my claims.

By a Government Order No. 710-11-7 dated the 28th April 1884 in para 9th it is ordered that the Deputy Commissioner is further authorised to retain the Mutt lands in question under his management for two or three years in order to ensure the complete introduction of the settlement and the final adjustment of the various petty disputes between the superior and - inferior holders. I was not disturbed in my possession of the 111 acres granted to me.

7. Subsequent to the above survey settlement the whole management of the Mutt properties was taken up by the Government and I continued to be in possession and enjoyment of my lands and to pay the quitrent direct to the Government and the same was accepted by them.

8. In 1892 on the death of Chennaveera Swamy the head of the Mutt, the then Amildar submitted a report on the financial condition of the Mutt to the Government in which he mentions the agreement between myself and the late Chennaveera-Swamy.

9. In the year 1901 the Manager of the Mutt out in an application to the Deputy Commissioner to recover the full assessment from me. The Deputy Commissioner after enquiry dicided the case in my favour.

10. On this order he preferred an appeal to the Government. They instead of ordering the full assessment to be - recovered from me as desired by the Manager, passed orders for the attachment and handing over of my estate to the Mutt - authorities.

11. In the last para of the appeal petition the Agent only asks " That for these reasons and for such I humbly beg that orders be issued to levy taxes from Mr. Sreenivasa Rao like other holders of the Mutt lands ".

12. The Government in their Proceedings No. 5327-8 dated 15-5-1906 without giving me a chance to explain myself passed an exparte order against me ordering me to hand over my proverty to the Mutt authorities.

13. In accordance with the Government Order the Amildar issued a notice to me hand over my estate to the Mutt authorities.

14. In reply to the Amildar's Notice I protested - against the handing over of the lands to the Mutt.

15. Further I wrote to the Deputy Commissioner protesting against the order of handing over the lands and also explained to him in my petition that the Manager only asked for the - full assessment, where as the Government had ordered the - relinquishment of the land. He refused to listen to my prayers and asked me to appeal to the Government which I did, and it took ten years for the Government to cancel and revoke their order. During this time I had to make nearly 30 to 40 trips to Bangalore.

16. On the 8th July 1919 I presented a petition to Government praying for a compensation of Rs. 16,000/- for all the heavy losses sustained by me during the attachment.

17. The Dewan asked me to obtain the opinion of the leading Madras Advocates about legality of my claims.

18. At a cost of Rs. 1,200/- I secured the opinion of Mr. K. Sreenivasa Iyengar the late Executive Councilor of the Madras Council and that of the Dewan Bahadur L.A. Govindaraghava Iyer, High Court Vakil of Madras, who gave the opinions as follows:-

Mr. Govindaraghava Iyer says:-

I. " Although he gave up possession of the said lands his rights to the lands were not of course given up ".

II. "On the 9th June 1906 the Government of His Highness directed the cancellation and withdrawal of their order dated the 15th May 1906 thus vinidicating the justice of the claim of Mr. Sreenivasa Rao to the said lands.

III. " Under the law, Mr. Sreenivasa Rao could not have sued the Government for the vindication of his rights as the order directing him to give up possession was an order directl, of the Government and he could have petitioned the Government as he has done for a reversal of the order. He is of course not responsible for the delay that there has been in the - disposal of the above petition and the unhappy consequence that attended the delay. He must have been emboldened by the belief that according to the usual and gracious practice of His Highness's Government if once he satisfied them that the loss he was put to was due to their orders, the necessary - redress would be granted to him. The compensation prayed for by him appears to be modest in the circumstances of the case "

IV. " Mr. K. Sreenivasa Iyengar in his opinion says that Mr. Sreenivasa Rao and his predecessors were in possession - continuously from 1866 to 1906 ".

V. " When the Government granted the Inam in 1884 the Mutt's mortgage was in possession, and the Government had no title to the land, but was only entitled to impose an assessment, and the Inam which they granted was only of their right to a revenue and that and that alone being their right.

VI. " The only power under the rules which the Government can have is to impose the full assessment on the 100 acres".

VII. " Mr. C. Sreenivasa Rao would have an action for - recovery of the land and mense profits from the Government in a Court of Law against the Government ".

19. After repeated petitions and appeals to the Government they offered to grant me a sum Rs. 2,000/- as an act of

of grace - a paltry sum which is quite inadequate to compensate me for the heavy losses I have sustained. But they have failed to see that their order is against their own expressed requests to the Deputy Commissioner and also that they granted to the appelent possession of my estate while his prayer was for the full assessment of the land.

20. I beg most humbly to bring to the notice of His Highness the Maharaja of Mysore that the Government in - direct contradiction of their own orders deprived me of my property - a well cultivated coffee estate valued at Rs. 50,000/- and handed it over to the Mutt authorities although they never asked for or wanted the property. After the lapse of 10 long years during which I had to make numerous journeys to Bangalore in represent my case and after I was told to obtain legal opinion I had an abandoned jungle returned to me, in lieu of a flourshing and profitable Coffee estate.

As I am precluded taking Civil Proceedings in a Court of Law to represent my claims and losses and I have no other remedy than to represent my case to your Highness in the hope that your Highness will take my case into your kind and gracious consideration and order your Highness's Government to give me such compensation as your Highness - may think adequate.

C Srinivasa Rao
Coffee planter

P.113

GEN & RF 19 JAN 1925 MUZRA

Chickmagalur,

Dated, 7th January 1924.

To,

K. R. Sreenivasa Iyengar, Esquire, M.A.,
Second Member of Council,
BANGALORE.

Sir,

Adverting to my claims for compensation which has been before Government for a long time and in which I regret, I have not been done justies. I enclose herewith, for favour of your kind perusal, a brief resume of my case and crave your indulgence for trespassing on your valued time and attention.

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Srinivas Rao
Coffee planter

No 2061
/

OFFICE OF THE [illegible]

TO HIS HIGHNESS [illegible]

Bangalore 5th [illegible]

Petition, as shown in A [illegible] H H

transferred to the Secretary to the Government [illegible]

Maharaja of Mysore, [illegible]

decimal

COURT FEE

TWO RUPEES

Bangalore
23.12.24

P.M. 603

ముద్దు దేవిత్తె దాసుతే శ్రీమాన్ మహారాజరాజ శ్రీకృష్ణరాజ వడియార
బహద్దరవరు కుటుంబపు వ్యవహారవనే
ప్రతివాది మహజరుగళల్లి లేవ్వనే రాజీనామె కొట్ట కాగిరువ కారణ
శ్రీమతి మహారాణియవరు బంధువాగి ఆయువాగిరువ మరమహారాణియవరు
కేళిదరిందలూ మత్తు మహారాణియవరు మరణహొందిదరిందలూ
నమగే ఈ కేసిన్నల్లి ముందువరియలు అవకాశవిల్లదే ఇరువుదరింద
నవిరాద సిద్ధి ఎంబవరు భారకొండు ఉపవాలయ ఆదేశ నం 5 ర్యా
దినాంక 19-12-1911

(1) నమ్మ ముద్దుమాం బిదిన్న మరకే ఆ.గ్రి నానారావురవరు
ఇదే కాళిదాస శిరస్తేదార్ ఆవరిగే రుద్రహొంద కేళిదంతహ నాల్కైదు వ్యవ
హారగళన్ను శ్రీమంత్రాలయ దత్తక హాగు స్వీకార కొండిరువిక్కాగి ఆ కాలదల్లి
దత్తక మాడికొళ్ళలు అవకాశవిరువ 10 వ్యక్తిగళల్లి ఒబ్బరన్ను
కేవలం నమ్మ 10 వ్యక్తి బిందు మాత్రవు ఎందు ముద్రిసిరువుదాగి ఇత్తీచిగే ప్రకటనె
కేళిబందిత్తు ఆ విషయ దత్తకవన్ను ఆ.గ్రి. శ్రీనివాసరావురవరిగె కొట్టిద్దు
1887 రల్లి మరణ సిద్ధి ఎంబవరు దత్తక మాడుకొండిద్దు ముద్దమ్మ ఆ విధవే
1906 నెయ్యవరెగూ జీవిసిరుత్తిద్దరు —

(2) ఆ మేలే ఆదేశదంతే మరణదన్ను ఎంబవరు కాలవాదనంతరవు
తరవేజుగళంతే వ్యవస్థెయ మేలే నమగూ మరవిగూ నడువే జగళాగి నాను ఇదన్ను
మనగండన్ను ఆ.గ్రి. శ్రీనివాసరావురవరిగే కొట్టు బిట్టిరువ విష
యవు కచేరిగళిగే అజ్ఞాపనె కొండిరువుదరింద ఆ ఆజ్ఞాపనెయ నం 5327-ఇ
దినాంక 17-5-1906 రల్లి ఇరువ ఆజ్ఞాపనె నం 155-12 కే ఆక్షేపణెయిల్లదే ఇరుత్తదె ఎందు
మనగండవరు నమ్మ వకీలరల్లి వాగ్దానవన్ను తిళిసిరువుదరింద 1877 నేయ ఎంబ
రుజువు మేలిరువ ఇత్తి భిద్ద వానసభేయ ఆదేశదంతే మరణ శాసనవాగిదె —

(3) ఆనంతర ఆ.గ్రి. శ్రీనివాసరావురవరు తమ్మ కచేరిగళిగే తమ్మ కేసిన్న
కేయుత్తా తిరిసిరువ దినదల్లి భిద్ద వానభేదవేనంతె అజ్ఞాపనెయన్ను తిరిసి కొండిరుత్తా
ఆనంతర కచేరిదల్లి ఎబ్బరూ నోకదు 21 వరుషగళవరెగె మరణ శాసనద మేలిన
నం 5327-ఇ దినాంక 17-5-1906 రల్లి కొటిరువ ఆజ్ఞాపనె నం 2825 మేలిన కేసిన 282-12-
11 చిహ్న ళుళుతే 9-6-1916 రల్లి వాద్యే కోరదంతె కేళిదంతహ కేసిన్న
నమ్మ పిర్యాదు మేరి సిద్ధి ఎంబవరు ఆ.గ్రి శ్రీనివాసరావురవరిగే
కొట్టిద్దు 100/- రూపాయిగళు ఎనేరి నాను మేలిట్టిరువ రూపవ్యతిరిక్త
మూరు రూపాయిగళన్ను కోరి — —

(4) రూపవ్వ జ్ఞాపగవాగిత్తి భిద్ద రీతి కే 10 రూపాయి కచేరిదల్లి

(5) కాలిఇ మార్కెట్ కమిటీలో —

వస్తువు	పరిమాణం	ధర			వివరణ
		రూ.	అ.	పై.	
326	46	17	70	0	ఎండుమిర్చి కాయలు మార్కెట్‌కు వచ్చిన రోజు ధర
327	3	22	5	8	పసుపు కొమ్ములు మార్కెట్‌కు వచ్చిన రోజు ధర
343	19	24	29	4	పత్తి గింజలు తీసిన దూది మార్కెట్‌కు వచ్చిన రోజు ధర
325	42	7	36	0	పత్తి గింజలు మార్కెట్‌కు వచ్చిన రోజు ధర

(6) [illegible]